

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NATHANIEL BROWN

v.

ROBERT LAWLER, ET AL.

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CIVIL ACTION

NO. 09-2565

ORDER

AND NOW, this 13th day of October, 2016, upon consideration of the Petition for Writ of Habeas Corpus, the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, Petitioner's Objections to Magistrate's Report and Recommendation, and Petitioner's Motion to Appoint Counsel, and all papers submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. The Objections to Magistrate's Report and Recommendation (ECF No. 16) are **OVERRULED**.
2. The Report and Recommendation (ECF No. 14) is **APPROVED** and **ADOPTED**.
3. The Petition for Writ of Habeas Corpus (ECF No. 1) is **DISMISSED** with prejudice.
4. Petitioner's Motion to Appoint Counsel (ECF No. 13) is **DENIED**.
5. No certificate of appealability will issue.

IT IS SO ORDERED.

BY THE COURT:



R. BARCLAY SURRICK, J.